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A Letter Opposing Kleindienst

Seattle

A Seattle architect said yesterday he has written the Senate Judiciary Committee protesting the appointment of Richard Kleindienst as Attorney General because Kleindienst "frustrated" an opportunity for early release of his kidnaped father-in-law.

Dennis F. Kane, son-in-law of Dr. Claude L. Fly U.S. soils expert who was kidnaped in Uruguay in 1970, said Kleindienst had recommended that Fly be "sacrificed."

Kane charged that Kleindienst "lacks the most important qualities necessary as a representative figurehead in the judicial branch: tact, true concern for human rights and wisdom."

Kane said Fly had "an excellent opportunity to be released" in December, 1970, while he was "still a healthy man."

Uruguayan Tupamaro guerrillas kidnaped Fly Aug. 7, 1970, and released him in poor health on March 2, 1971.

"The demands for release of prisoners in exchange for Dr. Fly's freedom had been dropped by December 1970," Kane said. "Humanitarian efforts being made for his release were in delicate balance.

"At that time Mr Kleindienst suddenly announced to the world that any ransom demands or negotiations with kidnapers would never be considered. In fact, he recommended that any kidnap victim less than the President or Vice President and their families be sacrificed." *

He said as a result, "any opportunity for Dr. Fly's release was frustrated by this pronouncement of 'new national policy,' of which Dr. Fly's family was never advised."

United Press

*Nix Ad, 11 Dec 70

NYTimes, 11 Dec 70

MITCHELL IS SILENT ON KLEINDIENST PLAN

WASHINGTON, Dec. 10 (AP) —Attorney General John N. Mitchell declined today to endorse or repudiate the suggestion by his top aide that the Government refuse to negotiate with political terrorists should they kidnap any United States official below the President and Vice President.

Deputy Attorney General Richard G. Kleindienst "was speaking for himself," said a Justice Department spokesman, who put the question to Mr. Mitchell.

"The Attorney General said he was glad to have his [Kleindienst's] recommendation, but he said that if confronted with a kidnapping situation in which there is a demand for release of certain prisoners, the Justice Department would only be in an advisory position," the spokesman said.

Mr. Kleindienst was reported to have said that, in the event of a political kidnapping similar to abductions of officials in Latin America and Canada, he would recommend that the Government sacrifice officials below the President and Vice President rather than meet demands of terrorists.